

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

MAR 10 1989

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed..... Map filed MAR 10 1989

The applicant Freeport McMoRan Gold CompanyMountain City Star Route of Elko

Street and No. or P.O. Box No. City or Town

Nevada 89801 hereby make...\$ application for permission to change the

State and Zip Code No.

point of diversion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under permit no. 50508

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is underground (Dust well no. 1)

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.25

Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for mining/milling/dust suppression and domestic

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for mining/milling/dust suppression and domestic

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2, T.42N., R.53E.,

Describe as being within a 40-acre subdivision of public survey and by course and

M.D.M., from which the SE corner of Sec.31, T.43N., R.54E., bears N.79°04'E.,

distance to a section corner. If on unsurveyed land, it should be stated.

13.363 ft.dist.6. The existing permitted point of diversion is located within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2, T.42N., R.53E.,

If point of diversion is not changed, do not answer

from which the SE corner of Sec.31, T.43N., R.54E., bears N.80°25'E., 13.157ft.dist.7. Proposed place of use Same as existing

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use Portions of: T.42N., R.53E. Sec. 1: Lots 1,2,3,4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$; Sec.2:All; Sec.11: All;

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

Sec.12: W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$, T.43N., R.53E.; Sec.35: S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec.36: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

manner of use of irrigation permit, describe acreage to be removed from irrigation.

T.42N., R.54E.: Sec.3: Lots 3,4,; Sec.4: Lots 1,2,3,4; Sec.5: Lots 5,6; T.43N.,R.54E.: Sec.31: S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$; Sec.32: S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$; Sec.33: S $\frac{1}{2}$ S $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec.34: SW $\frac{1}{4}$ 9. Use will be from January 1 to December 31 of each year.

Month and Day

Month and Day

10. Use was permitted from January 1 to December 31 of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled and cased well, pipe lines, storage

State manner in which water is to be diverted, i.e., diversion structure, ditches,

tank, pump and motor

pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$60,000.0013. Estimated time required to construct works one year

14. Estimated time required to complete the application of water to beneficial use two years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water from this source is to be used for dust suppression at the crusher location near the mine, and for dust suppression on the haul road to the mill site, for mine shop maintenance uses and domestic consumption, and to supply drilling machinery in an exploration program. Estimated annual consumption same as described under permit 50508.

William A. Nisbet
By William A. Nisbet
421 Court Street
Elko, Nevada 89801

Compared jjs/bk bp/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 50508 is issued subject to the terms and conditions imposed in said Permit 50508 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

No perforations shall be put in the production casing from ground level to 100 feet.

The total combined duty of water under Permits 50672, 51163, 51292, 51399, 51400, 52452, 53002, 53003, 53271, 53272 and 53273 shall not exceed 377 million gallons annually.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.25 cubic feet per second, but not to exceed 38 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before February 1, 1991

Proof of completion of work shall be filed before March 1, 1991

Application of water to beneficial use shall be made on or before February 1, 1992

Proof of the application of water to beneficial use shall be filed on or before March 1, 1992

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed APR 4 1991

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 27th day of February,

A.D. 19 90

R. Michael Turnipseed, P.E.
State Engineer

Abrogated By 50152T 0.1 Exp 12-24-90
50153T 0.1
59082 0.1
59083 0.1 Woda 6-5-98

(PERMIT TERMS CONTINUED)

use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

